

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)**

Acquisition Plan Action ID: VA257-17-AP-7448

1. Contracting Activity:

Department of Veterans Affairs
VISN 17, SAO West - Network Contracting Office (NCO) 17
Medical Sharing Branch II
11495 Turner Road
El Paso, TX 79936-1372

Purchase Request: 504-18-3-812-0028

2. Nature and/or Description of the Action Being Processed:

The Department of Veteran Affairs, Amarillo VA Health Care System (AVAHCS) requires a new fixed price contract to be awarded to the incumbent, Alcoholic Recovery Center of Amarillo, 412 E 16th Avenue, Amarillo, TX 79101 (DUNS 171437882). The services include supervised housing and coordinated case management services as a residential component of the Substance Use Disorders Treatment Program (SUDTP) Intensive Outpatient Services (IOP).

FAR13.5 Simplified Procedures for Certain Commercial Items:

This procurement is for Residential Services in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

The Contractor shall provide a freestanding facility or complex of facilities that provide a domicile environment, that promotes community integration, has a comfortable home-like feel and presentation, supportive residential staff, and personal and/or protective care for Veterans with substance use disorders.

The total estimated value of the acquisition is \$260,100.00. The period of performance is May 1, 2018 through September 30, 2018. This procurement is under the authority of 38 USC 1720A and 38 CFR 17.38 for treatment and rehabilitative services for persons with drug or alcohol dependency.

4. Statutory Authority Permitting Other than Full and Open Competition:

41 USC §3304(a)(1), as implemented by FAR 6.302-1.
(X) (2) Unusual and Compelling Urgency per FAR 6.302-2;

FAR13.5 Simplified Procedures for Certain Commercial Items:

The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

The services provided by the contract are necessary for the treatment of Veterans with Substance Use Disorder problems by not only providing a safe, clean and secure residential housing, case management services, meals, transportation and a home-like environment, but also a therapeutic continuum of care in the provision of clinical services developed and prescribed by the Veteran's VA clinical staff. The program is a 90 day program and requires the Veteran to participate on a daily basis including off-site services provided by the Contractor. Without the housing and other services described above, the program would not be able to maintain its effectiveness in treating Veterans, resulting in serious problems such as deterioration of the Veterans health, increased dependency and even death. The Government's commitment to take care of our Veterans would be negatively impacted without the resources provided by the Contractor.

Due to current contract expiring April 30, 2018 and the processing time following standard procurement procedures, there will not be sufficient time for the Contracting Officer to award a new competitive contract by May 1, 2018. The original contract for residential services was competed and awarded to Alcoholic Recovery Center of Amarillo on May 1, 2015. Alcoholic Recovery Center of Amarillo has delivered the required services without incident for the past three (3) years. Due to the short time left before the contract expires, it is not feasible to compete and award a contract before the expiration date. Trying to compete the award in the short time allowed will result in a prolonged suspension of services. This will leave the Amarillo VA without the residential component of its Substance Use Disorders Treatment Program (SUDTP) under the Intensive Outpatient Services (IOP). This suspension of services impacts the Department of Veteran Affairs ability to meet its mission and will leave the Veterans without a housing option.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

This is an interm contract for five (5) months to give the contracting staff enough time to award the long term contract. The current long term contract will be competed under RFQ 36C25718Q0120.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:

There is no change in price from previously awarded contract VA257-17-D-0096. Based on the previously awarded price of \$85/day/veteran, the CO has determined that this rate is fair and reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

Market research was conducted on March 29, 2018 and the results indicated that there are insufficient small business firms that can provide the services requested.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

Veterans assigned to the Male Substance Use Disorders program will be left without the residential services component which is a critical part of the program.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

None

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

A competitive solicitation (RFQ 36C25718Q0120) will be issued and posted to the Federal Business Opportunities website for the long term acquisition. It is anticipated that adequate competition would be achieved.

12. Requirements Certification:

I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

CYNTHIA D.
TICE 236140

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D. TICE 236140
Date: 2018.04.12 10:15:35
-05'00'

Cynthia D Tice
Program Analyst
Amarillo VA Health Care System

Date

13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:

- a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Marisela
Galarza 419039

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Galarza 419039
Date: 2018.04.11 12:18:45
-06'00'

Marisela Galarza
Contracting Officer
SAO West NCO 17

4/11/18

Date

- b. **One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

Valeria Gutierrez
310245

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Gutierrez 310245
Date: 2018.04.24 09:25:54
-06'00'

Valeria Gutierrez
Division Chief
SAO West NCO 17

Date